



PUBLIC NOTICE

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DA 15-1340

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REVISED CONSTRUCTION DEADLINE APPROVED FOR RECIPIENT OF MOBILITY FUND PHASE I SUPPORT

By this Public Notice, the Wireless Telecommunications Bureau and Wireline Competition Bureau ("Bureaus") announce that they have approved the request of the Mobility Fund Phase I support recipient identified in Attachment A of this Public Notice to revise the construction deadline for 12 of its Mobility Fund Phase I study areas in accordance with section 54.1006(b) of the Commission's rules.¹

On October 3, 2012, the Federal Communications Commission (Commission) announced the 795 winning bids and associated winning bidders for Mobility Fund Phase 1 support in Auction 901, and established the deadline for winning bidders to submit their long-form applications.² In its long-form application, the recipient identified in Attachment A sought Mobility Fund Phase I support to deploy 3G service in its supported areas. An applicant authorized to receive Mobility Fund Phase I support that indicated in its application that it would provide 3G service on its supported network is required to meet its service and coverage requirements within two years after the date on which it was authorized to receive support.³ On July 18, 2013, based on the representations and certifications in its long-form application, the Bureaus authorized support for the recipient's winning bids.⁴ The authorized recipient noted in its Mobility Fund annual reports, timely filed on June 26, 2015, that it sought to change to 4G network deployment in twelve (12) study areas.⁵ On July 16, 2015, the authorized recipient submitted a supplement to its annual report seeking to update and modify the project descriptions and timetable submitted with its long-form application to reflect its decision to deploy a 4G network instead of a 3G network in the twelve study areas.⁶ Based on the change from deployment of a 3G network to deployment of a 4G network, the recipient requested that, in those twelve study areas, it be subject to the three-year construction deadline provided for buildout of 4G networks in Section 54.1006(b) of the Commission's rules. After reviewing the recipient's revised project description and timetable, the Bureaus revise its deadline for construction to three years for each area covered by the study areas listed in Attachment A in accordance with section 54.1006(b) of the Commission's rules.

¹ 47 C.F.R. § 54.1006(b).

² Mobility Fund Phase I Auction Closes; Winning Bidders Announced for Auction 901, *Public Notice*, DA 12-1566, 27 FCC Rcd 12031 (2012).

³ 47 C.F.R. § 54.1006(a).

⁴ See Mobility Fund Phase I Support Authorized for 54 Winning Bids, *Public Notice*, DA 13-1591, 28 FCC Rcd 10310 (2013).

⁵ The SAC for these study areas include: 268001, 268002, 268003, 268005, 268006, 268008, 268012, 268013, 268014, 268015, 268018, and 268019.

⁶ East Kentucky Network, LLC d/b/a Appalachian Wireless Mobility Fund Supplemental Filing, WTB Docket No. 10-208, (filed July 16, 2015).

We remind recipients that a winning bidder that has been authorized to receive Mobility Fund Phase I support will be subject to a performance default payment if it fails or is unable to meet its coverage requirement, other service requirements, or fails to fulfill any other term or condition of Mobility Fund Phase I support.⁷ The performance default payment for Auction 901 is ten percent of the total level of support for which a winning bidder is eligible.⁸ Under the terms of the LOC, the Commission will be entitled to draw upon the LOC upon a recipient's failure to comply with the terms and conditions upon which USF support was authorized.

Further Information Contact:

**Universal Service Administrative Company
(USAC) - Disbursement Procedures**

hcinfo@usac.org

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Wireless Telecommunications Bureau
Cecilia Sulhoff at (202) 418-0587

General Universal Service Information

**Wireline Competition Bureau,
Telecommunications Access Policy Division**
Alexander Minard at (202) 418-7400

Auction 901 Information

General Auction Information, Process, and
Procedures

Auctions and Spectrum Access Division

Lisa Stover or Debbie Smith at (717) 338-2868

Post-Auction Rules, Policies, and Regulations

Audra Hale-Maddox at (202) 418-0660

Tribal Issues

Additional information for entities seeking to
provide service to Tribal lands and Tribal
governments

Office of Native Affairs and Policy

(202) 418-2930
native@fcc.gov

Accessible Formats

Braille, large print, electronic files, or
audio format for people with disabilities

Consumer and Governmental Affairs Bureau

(202) 418-0530 or (202) 418-0432 (TTY)
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This Public Notice contains the following Attachment:

Attachment A: Study Areas with Revised Construction Deadlines

- FCC -

⁷ Connect America Fund, WC Docket No. 10-90, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-161, 26 FCC Rcd 17663, 17814 ¶¶ 460-61 (2011).

⁸ 47 C.F.R. § 54.1006(f); *Auction 901 Procedures Public Notice*, 27 FCC Rcd at 4777-78 ¶¶ 189-92.